

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION

JOHN ANTHONY CASTRO,

Plaintiff,

v.

SECRETARY OF STATE ANDREW
WARNER, and DONALD JOHN TRUMP,

Civil Action No. 2:23-cv-00598
The Honorable Irene C. Berger

Defendants,

WEST VIRGINIA REPUBLICAN PARTY,

Intervenor-Plaintiff.

MOTION TO DISMISS OF DEFENDANT DONALD JOHN TRUMP

Defendant Donald John Trump, by counsel, hereby moves to dismiss the Complaint [CM/ECF No. 1] with prejudice pursuant to Federal Rule of Civil Procedure 12(b)(1) & (6). In support thereof, Defendant submits the foregoing memorandum of law.

DONALD JOHN TRUMP,

By Counsel,

/s/ J. Mark Adkins

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CERTIFICATE OF SERVICE

The undersigned counsel does hereby certify that on the **6th** day of **October, 2023**, the foregoing ***Motion to Dismiss of Donald John Trump*** was served upon all parties of record electronically via the Court's CM/EMF system as follows:

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